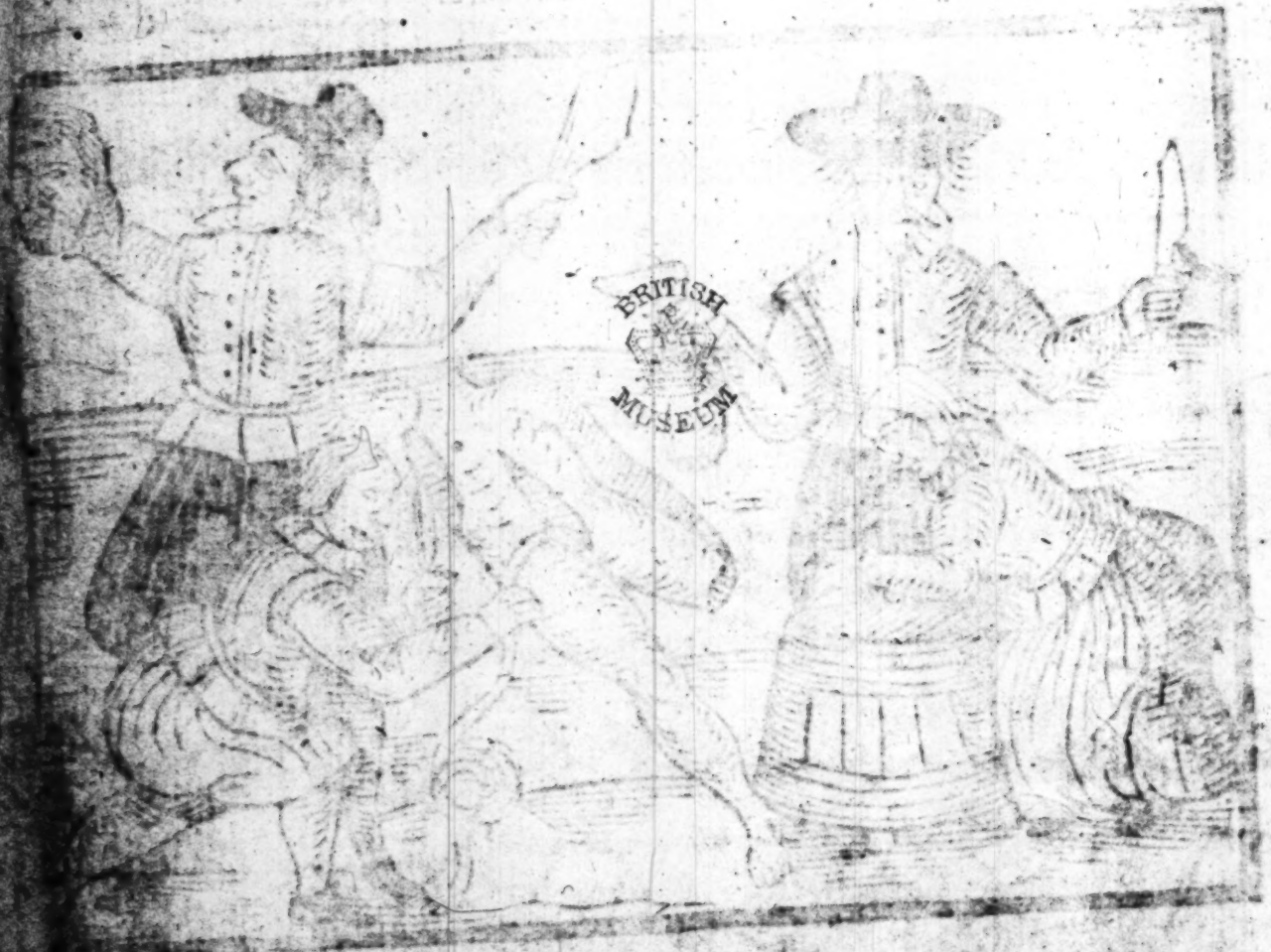
The crying [illegible]

Contayning the cruell and moſt horrible [illegible]

of Mr. TRAT, Curate of olde *Cleaue*; who was [illegible]
as he trauailed vpon the high way, then was brought home to [illegible]
and there was quartered and imboweld: his quarters and bowels [illegible]
terwards perboyld and ſalted vp, in a moſt ſtrange and fearefull manner. For [illegible]
the Iudgement of my Lord chiefe Baron TANFIELD, young *Peter Smith*, *Andrew Baker*, *Cyrill Auſten*, and *Alice Walker*, were executed this last Summer Aſſizes, the 24. of July, at Stone Gallower, neere Taunton in Summerſet-ſhire.



AT LONDON:
Printed by *Edw. Alde* for *Nathaniell Butter*.
1624.


BRITISH MUSEUM

TO THE TRVLY HONORABLE SIR LAWRENCE TANFIELD Knight, Lord chiefe Baron of his Maiesties Court of Exchequer, and one of his Iustices of Assize in the County of Summerset,

and to all the Iustices of Peace in the same County,

C. W. *wisheth that happinesse which he himselfe desireth.*

TRuly Honourable, and Right Worshipfull, to you in duty this Dedication doth belong, who stand like Lyons about the Throne of our *Salomon*, to maintaine the Subiect in peace, and defend the Innocent from cruelty and oppression. Some of your cares and wisedomes haue detected a most cruell murther and conspiracie, and vindicated besides the honour of the Clergie from those scandals, which were shot from the sling of those Assassines, intentiuely against Mr. *Tratis*, but consequently against all that sacred and super-eminent profession. Continue these good endeuours, & let the Sun-setting of your fauours, be like vnto their Sunne rising

and Meridian, that vnder your protection and defence, the word of God, and the ſword of Iuſtice may worke together within the circuite of that flouriſhing County with perpetuall harmonie, vnity, and agreement. Neuer was there more cauſe for the diſtreſſed Leuite to implore the help of the Princes of the people then now: The Aaronicall & once budding rod of his Authority, being almoſt broken in peeces. His linnen Ephod being rent in ſunder, and his ſanctified breſtplate of Vrim and Thummim, being pierced thorow with the malicious ejaculations of knowne aduerſaries, or the ſecret wounds of luke-warme profeſſours and temporarie back-ſliders. You are his Maieſties Deputies and Vicegerents; let his Character be your patterne, & let the irradiation of his example enlighten & leade you to the protection of the Clergy; and eſteeme thoſe wrongs done vnto them to be by ſo much the more of an offenſiue nature and condition, by how much that moſt high and celeſtiall calling is lifted vp aboue the ordinary maſſe & multitude of mankinde. Thus deſiring your Lordſhip & their Worſhips beſt cõſtructions, & crauing pardon for my boldnes in this my Dedication, I leaue and reſt

Your Lordſhip and their worſhips humble Suppliant,

C. W.

BRITISH MUSEUM

To the Reader.



Entle Reader, whether of the Clergie or Laity, of the Priesthood or people. Thou seest here a spectacle represented vnto thy view, horrid and bloody beyond all comparison, and scarce to be paralleld, except it be by the very Canibals and men-eating Tartars, people deuoide of all Christianity and humanity. The haynousnesse of which fact was agrauated, and more terribliz'd in the Iudgement of all men, by considering the quality and profession of the person murdered, and by the suruay of that high relation, which the murtherers had, or at leastwise should haue had vnto him; as being a vessell consecrated to the Lord, and annointed to doe him seruice both in soule and body in the Tabernacle of his congregation. The persons who did act it, made the nature of this Assassination the more haynous, by the consideration of that respective duty which they ought vnto him, as being the Sheepe of his Flocke, and members, though vnworthy of his Parish and spirituall family. And therefore except it were Regicide and King-

killing, no murther could be more bloudy, and by consequence more crying, then that of Mr. Trats, it being parricide in the higheſt nature and degree. The Authour knowes, that there are foure good mothers which breede foure ill daughters: for Security breedes Danger, Familiarity Contempt, Proſperity Pride, & Truth though knowne a knowne Hatred: yet mauger this and any oppoſition that can bee made againſt him, hee hath here deliuerd it, truly and ſincerely, according to the beſt informations he could receiue from the Coroner, Iurours, and other worthy perſons conſcious of all theſe particulars, which are here related and demonſtrated. Thus deſiring thy beſt acceptance, he leaues thee to the following peruſall of theſe Tragicall lines, and for euer reſts

Thine if thou be thy
owne in iudgement,

BRITISH MUSEUM

C. W.

THE

THE VNHEARD OF Murther of Mr. *Trat*, Minister *of olde Cleaue.*

DIuers forraigne Nations for those more open and knowne faults, which custome hath made remarkable amongst them, haue by the note of your English censure suffered the common brand of Infamy and reproach. Hence is it that most of our curious censurers, and some of them (not our least sinners) haue taxed the French for lightnes, the Dutch for drinking, the Danes for cruelty, the Italians for pride and couetousnes, the Spaniards for delayes and subtilties. But in vaine doe we lay these aspersions vpon others, there by to palliate our owne disgrace, or seeke to couer with these Figgeleaue garments, our owne deformity and nakednesse. For many amongst vs (as it is to be feared) are conscious of these, & of many other enormious sins besides, For to let passe fearefull Atheismes, terrible blasphemies, tearing oathes, and vnnaturall lusts, which prouoke the iust vengeance and indignation of our maker, That Lethargie of security doth so possesse our spirits, that although we sleepe with the serpent continu-

ally

ally in our bosomes, yet we rest careleſſe and ſecure of his dangerous temptations and deſignes. Couetouſnes is ſo hidropicall and longing amongſt the purſe-ſicke Timpaniſts of this age, that like vnto that Idoll of luſt, the more they haue, the more they ſtill deſire. And then what doth the generality of our Nation doe, who with ſuch Catonian rigour doth cenſure others?

Quæcunq; profundâ
Traxit auaritiâ, luxu peiore refundit.

What couetouſnes hath got, luxurie doth ſpend in ſurfet and exceſſe.

Our moderne murthers, which are there moſt raging where other ſinnes are moſt raigning, ſeeme equall, though not for the nũber, yet for the maner, vnto theſe of the Mahometan Aſſaſſines men oblig'd thereto by their profeſſion, or to the Italian Banditoes, people inur'd there by cuſtome. The ſcarlet tincture and guiltineſſe whereof pollutes the Earth, infects the Ayre, and cries for vengeance at the gates of heauen, and the Iudgement ſeate of the Almighty. So that no more *Angli quaſi Angeli*, may theſe tranſgreſſours be call'd Angles or Engliſh, becauſe we are like the Angels: but we may be call'd *Dei res, quaſi dei ira*, as being the anger of God, and the powred out Lees of the Cup of his indignation.

Amongſt the liſt and number of which moſt horrid preſidents, whereof *England* like *Libia*, *Semper aliquid profert noui*, doth alwaies produce new ſhapes and ſubiects, none haue beene more notoriouſly noted, and infamouſly famous, then thoſe three Aſſaſſinations committed within theſe few yeares in *Sommerſet-ſhire*, on the north ſide of *Quantocke* Hill; The firſt, of

Threſher

Ville

Thresher kil'd at St. *Adries*, by his own wife & her adulterous louer : The second, of *Robert Seaman* of *Norton*, butchered at *Otterhampton* by his Brother in Law *Legge* and his Wife : And the last, (which is the Tragicall subiect of this present Discourse) is the cruell and vnheard of murther of Mr. *Tratt*, Curate of *Olde Cleeue* in the said County, by young *Peter Smithwicke* (as the Law found it) his Complices and Associats. For the better explanation whereof, wee may methodically consider these fiue circumstances ; First the Person murthered, and the Persons murthering : Secondly, the Motiues which did induce them to commit this murther : Thirdly the manner of committing and executing of it : Fourthly, the meanes, and presumptiue euidences, by which it was discouered : Fiftly, the arraignement, iudgement and execution. Of all which considerations, seuerally I meane to relate, in their seuerall orders, according to that intelligence which I haue receaued from credible Persons, ingaged in their triall.

And first concerning the Person murthered; he was a *Leuite*, consecrated vnto the Lord to doe him seruice in the Tabernacle of his Congregation; one that had many yeares since put on the Brest plate of *Vrim* and *Thummim*, and girded himselfe with the *Linnen Ephod*; concerning which sort of people, the Lord doth giue this Iniunction & charge by the pen of a ready writer, by the mouth of that Kingly Prophet *Dauid*. *Touch not mine Annointed, nor do my Prophets any harme*. Before he had taken this sacred order of Priesthood vpon him, he had spent some of his younger yeares in the vniuersity of *Oxford*, being a student of *Maudlin* Colledge, where he proceeded Bachelour of Arts, with good approbation and allowance of his superiours : His

morall conuerſation (both there and in the Countrey) was honeſt and laudable; onely ſome aſperſions were laid vpon him, by the knowne report of this malicious Company; who firſt did ſeeke to murther his good name, before they murthered and tooke away his life. From hence ſprang this occaſion: His wife (being a feeble, ſickly and weake woman) went to gather *Limpets*; (a kind of ſhell-fiſh which ſticks vpon the Rockes in that Seucarne or midland ſea, deuiding *England* from *Wales*) and by an vnfortunate chance fel from the precipice of the Rockes into the water, and there vpon the ſuddaine periſhed; her husband being vpon the ſtrand alſo, but a good diſtance remou'd from her, as being imployed in fiſhing at another place, ſo that he could not come to her ſuccour in time.

Preſently vpon this accident, the poiſon of Aſps which was vnder his enemies lips broake forth into the running iſſue of a falſe report, and they noyſed it euery where among the Vulgar, that Mr. *Trat* had kil'd his Wife, and caſt her ouer the Rockes into the ſea. But this calumniation comming to the examination of the Iuſtices of that diuiſion, it was found to bee counterfet by the touchſtone, and he was clear'd without any further triall, and his Enemies departed with ſhame and rebuke. Another ſcandall which was layd vpon him was this: he being by them inuited vnto ſupper, came according to appointment; where theſe Plowers (according to the phraſe of the Pſalmiſt) plowed vpon his backe and made large furrowes vpon him, for one of their Creatures, as it appeared afterwards, tooke vp the Miniſters Gowne and put it on; in which counterfeit habit, (it being now darke night) he goes forth and meetes with a Countrie Woman,

vnto

vnto whom he offers some violence and vnciuill behauiour. She gessing by the outside coniecture that it was Mr. *Trat*; spreads this attempt abroad to his infamy and disgrace: Which comming to his eares, he seekes to vindicate his reputation, and cals the Actors of this plot into question, who were found to be guilty of the fact, & were punished by the censure & sentence of the Court. Neither were his morall parts onely commendable, but his Ministeriall also were answerable: For although he was none of the greatest Clarks, as they say, yet was he not a dumbe Pastor, but like a true *Bonarges*, did thunder and crye out in his Sermons against the vices of his Parish: The freedome whereof, together with some particular aplicatiõs vnto yong *Smithwicke*, was thought to be one of the cheifest causes which hastened this hainous and vnheard of Murther. And thus much for the quality of the person murthered.

The Persons murthering who suffered for the fact, were foure in number: Young *Peter Smithwicke*, *Andrew Baker*, *Ciuill Austen*, and *Alice Walker*: Which Persons although they were not blemish'd before the committing of this fact with the scandall of any notorious crimes, in the course of their former life and conuersation, yet were they not free from the suspition of some faults, whereof youth by nature, and age by custome is too too guilty and capacious. But old *Peter Smithwicke* who as not yet come to his tryall, but remaines a prisoner in the Gaole at *Winchester*; was reputed by all men before the suspition of this cruell assassination, to be a man of a most sober, gentle and well ballanced conuersation, so that if he should be guiltie of this crime, as the most iudicious iudgements doubt,

although the vulgar people and his friends thinke the contrary, it may be said of him, which was said of another in the same kinde, *Cucullus non facit Monachum*, it is not the outside shewe or shadow, which makes the inward sanctimony and integrity. And thus much for the persons murthering: In the next place follows the consideration of those motiues which did incite these men to imbrue their hands in the blood of the Innocent, and these were supposed to be three in number: The first was Mr. *Trats* libertie of speech in his vsuall and publicke rebuking of some of that society, of some suspected passages of sinne whereunto they were thought to be ouer-weaningly addicted and accustom'd. The next was the vindication of that reproach and infamie which they suffered by offring violence vnto an honest woman in the counterfeite Larua or image of *Trat*. But the last motiue which was not the least, but the chiefest of all from whence this current of *Meribah*, the first streame of this malice did proceed was this: Mr. *Brigandine* of Quantockes-head in the said County of Somerset, being Incumbent ouer the Parsonage of Quantockes-head, and ouer the Viccaradge of old Cleeue, where this innocent man now murthered was his Curate for a good season, took a resolution to resigne his Incumbencie of Old Cleeue vnto his Curate, who before had bought the Patronage of it from him, vpon conditions of a fitting value and consideration. With this young *Smithsticke* and his father were much distasted, as hauing held that Viccaradge of Cleeue from Mr. *Brigandine* who married old Mr. *Smithsticks* mother, at an vnder-valued rate and rente, by which meanes a good annuall profit did accrue to his purse, of which reuenue by

this new Contracte he was like to be put off and defrauded as he gave out, for that he pretented a promise from his father in Law *Brigandine* to the contrarie, confirmed vnto him many yeares since by the mediation of his mother. And his son *Peter* thought himselfe wrong'd in his case also, and that he was a fellow sufferer with his father in this calamity, because that Mr. *Brigandine* his grand-father by marriage, had promised him as he said, the perpetuall donation and Patronage of this liuing. Hence sprung the chiefest flame of that malice, which from the small sparkes of meane or false suppositions caus'd such combustion in the household of Mr. *Smithwicke* to the vtter ruine of their credits, estates, and lines, and to the small perill of their soules, they dying to the worlds esteeme obstinate and vn-repenting sinners, without acknowledging their guiltinesse in the facte whereof they were so plainely guilty by the coniecture of all outward prooles and circumstances. But from hence let vs descend vnto the manner of it, which was most tragicall, horrid, and inhumane, wanting an imitable president and example, euen amongst the verie Pagans and Infidels.

So that *Quis talia fando*
Myrmidonum dolopumue, aut duri miles Vlissis
Temperet a lachrimis?

What heart can be so inhumanely inhumane and obdurately hardned, which would not sigh at the very repetition of it, and yearne at the remembrance of this cruell and scarlet coloured Assassination? for these blood-suckers hauing murthered this harmelesse Leuite Mr. *Trat*, vppon the Wednesday next after Midsommer day in the yeare of our Lord God 1623. iourneying from his owne house to his mothers, whether he went to furnish his necessities with some mony,

they brought him backe the next night thus murthered as he was, with two mortall wounds in the breſt into his owne dwelling houſe againe, where he liu'd ſolitarie and alone. There theſe Butchers with their hands already ſmoaking in his blood, did cut vp his carkeiſe, vnbowell and quarter it; then did they burne his head and priuy members, parboile his fleſh and ſalt it vp; that ſo the ſodaine ſtincke and putrefaction being hindred, the murtherers might the longer be free from diſcouerie. Maſter *Trat* hauing now beene miſſe fortnight and a day, and there being a great ſtench ſmelt from his houſe by the neighbour-hood, which now beganne to be noiſome notwithſtanding the drying force and operation of the ſalt, by the direction and aduice of the next Officers, they broke vp the doores, and gained their paſſage in: where hauing made a diligent ſearch and inquirie, they finde his foreſaid bodie all ſauing the head and members diſpoſed in this manner and forme following. His armes, legges, thighes, and bowels were powdred vp into two earthen ſteenes or pots in a lower roome of the houſe, cloſe adioyning vnto the wall, the bulke of his carkeiſe was plac'd in a fatte or tubbe, couered ouer with a cloath in a chāber ouer head, all which mēbres thus diſſeuerd were ſo artificially ioynted, laid and handled, that if theſe deuils had beene Butchers they could not haue done it more orderly and cunningly. Beſides this nere vnto this feareful ſpectacle there was an old green ſuite found belonging as it is likely vnto one of the Actors of this murther which afterwards was carried about to the next market townes & cryed publikely, but yet as yet it could neuer finde out an owner or a maſter.

This Murther being euident in the fact and haynouſnes thereof, though doubtfull in the perſon, be-

cause his head and members could not be found, they presently giue notice vnto Mr. *Thomas Windham* of St. Decoombes, vnto Master *Cuffe* of Creetch, Iustices of Peace in the said County, who with Mr. *Iohn Westcombe* of Haulse, Coroner for the King, came vpon their first summons, and taking view of this strange and amazing obiect, they were much perplext, and troubled in their mindes, not knowing what to thinke at first, in a matter so strange and vnheard of for the example. Yet collecting their spirits from doubtfulnes and confusion, vnto that course which the necessity of the cause did impose vpon them, they proceeded from thence vnto examination of some of the neighbours in that Parish: the Intelligence of whose report might giue their eyes some informing light in the mysterie of this businesse. Those examinates make it knowne vnto them, that in all likelihood it was Mr. *Trat* their olde Curate that was murthered, there being one of his fingers knowne by a secret marke vnto them, and besides, there was a knowne quarrell betweene Mr. *Smethwickes* company and him, in respect of the causes before premised, which gaue some cause of suspition vnto them, and that *Alice Walker* besides, seruant vnto olde M. *Smethwick*, had before told some of these Informers, that if the Parson did not come home the sooner, his powdred Beefe would stinke before his comming. These presumptions drew her first of all vnto question and examination before the Iustices, who were very sincere and carefull in the finding out of this murderous and Butcherly plott. She being tax'd, stoode vpon the deniall, but there being great presumptions of her guiltinesse, she was committed vnto prison. Olde M. *Smethwick* vpon this seeing his seruant imprison'd, his sonne suspected, and

him.

himselfe something blemisht, processe openly concerning their Innocencie, and his aduersaries malice, offers large Bayle for his Maide, sends (as he noised it amongst the vulgar) for his absent & innocent sonne to London, and rides in a progresse of Inquest after *Trat*, whom he thought to be the murtherer of this vnknowne person, and not the person that was murthered by him or any of his company. To make this good, vpon that day when *Trat* was thus massacred, there was one that in his habite and cloake vsurp'd his name, and came to *Iohn Fowles* house of Taunton the Bowyer, a man who had seene *Trat*, but did scarce know him, or now remember him, and tolde him that he was M. *Trat*, the Curate of olde Cleeve, and passed vnder that name there; The like he did at Illmister, & at Parson *Sacheverells*, a Minister, benefic'd neere Blanford in Dorset-shire, who had beene formerly and familiarly acquainted with *Trat* in Oxford, though now by meanes of their long absence, this counterfet did presume that hee had forgotten him, and for this consideration, was confident, that being habituated thus like *Trat*, and countenanced alike besides, he might therefore with more facility impose vpon the credulous ignorance of *Sacheverell*.

To farther this project, which might free *Smethwicke* and his household from all suspition, and lay the guilt of the murther vpon the murdred; this Impostour calling at his pretended friends house in the daske of the Euening, tolde him, that hee was his olde friend *Trat*, which now after many yeares was come to see him. The other being deceiued with the night, his boldnesse and habite, beleeues his wordes, and desires him to alight, but hee refuseth it, alleadging that hee could not doe it with any personall safetie.

And

And for reason sayd the other; because quoth the Counterfeit, I haue stabd a man in my house where I liue, of whose life I am doubtfull; and that vpon this occasion comming from *Dunster* a small market Towne in the North-east part of *Summersetshire*, I met with one, newly as hee told me, came out of *Ireland*, who begging something of me, I gaue him two pence, lodged him in my owne house, gaue him his supper and his breake-fast in the morning, but crossing himselfe superstitiously, as I thought, with the signe of the crosse before his mornings meale, I taxt him for it: who seeking to maintaine his cause by argument, we fell from words to blowes, and in the Combat, I doubt that with a stabbe of my knife, I haue kild him, and so being ingaged in this danger, I can stay no longer with you, but must flie; *Sachewerel* wisht him to retire himselfe home again since hee was not certaine, or well assured of this strangers death, and that by Chirurgery and speedy meanes of reliefe, the wounded person might againe recouer his former health and vigour. Old *Smithwicke* beeing thought to be conscious of all these counterfeit false designes, as diuerse men now thinke and suspect, hee pursues the inquest of this false *Trat*, enquires for him at *Fownes* the Bowyers his first place of arriuall: who told Master *Smithwicke*, that such a man was there, but departed thence to *Ilminster* as hee thought, because hee inquired the way thither of him. The other followes him by his tracke vnto the Towne of *Ilminster*, and from thence vnto *Sachewerels* house in

shire

Dorsetshire, there inquiring for him of the *Parson* he was told by him that Mr. *Trat* was there, but would not alight nor stay with him any time; because hee had stabd a man in his owne house, (as he sayd) of whose safety hee was very doubtfull, and suspitious.

The persons accused, beeing armed with these glozes and pretences, faire seeming to the eyes of rash speculation and beholding, condemne Mr. *Wyndham* and Mr. *Caffe* of Iniustice, protest of their wrongs before Mr. *Sims*, and Mr. *Brureton*, two other Iustices of that County, and desired them in the Kings behalfe to take the examination of old *Poorde*, and others of his Houshold concerning Mr. *Trat*, whether hee were there vppon such a day or no in the house with him, how long he stayd, and whether as he thought from thence hee departed. And they requited and requested them besides to vse their best meanes and authority vnto the Iustices of Peace in *Dorsetshire*, that Mr. *Sydenham* might be examined vppon the same Interrogatories also. But all these faire pretences proued at the Tryall but Clouds of cunning, and mists of knauery for *Pabrai*, his man, and *Sydenham* being prest vnto it, first by the Iustices, and after by my Lord *Fanshaw*, Lord chiefe Baron of the Exchequer, would not take their oathes, nor at last giue assurance by their words that this person was that *Trat* indeede, although they confessed themselues in respect of the forged premisses very doubtfull of it at first. These passages made pregnantly against those persons, who haue suffered

for

for the murder, and giue great presumptions against old *Smithwick*, whose tryal is deferred till the next Assize of that County. Those other proofes which gaue most euidence against them, may be reduced vnto two kinds, vnto generall ones, which did concerne them al in general, or perticular ones, which did concerne euery one of them seuerally by himselfe. The proofes generall against them were these: First of all the personall counterfeiting of Mr. *Trat*: 2 The raines of *Trats* bridle, knowne by his brother, and found at *Smithwicks* house all bloody, his horse vpon which he rod forth, beeing neuer heard off till this day: 3 The finding of diuerse peeces of the skull and necke-bone, with some teeth on *Smithwicks* harth, answerable vnto those which were found in *Trats* owne house: It beeing thought by the Iudge and Iurours that his head was first burned at *Smithwicks*, and after that the bones and teeth were carried vnto *Trats*, all saiuing those fragments, which God would haue for the further manifestation of the truth, concealed one the foresayd harth, vntill they were found out by the industrious care and search of Mr. *Leffe*, and Mr. *Windham*: The proofes perticular were different against diuerse of them. Young *Peter Smithwicke* had often threatned to cut him in peeces, to kill him, and to shew him such a tricke as was neuer heard off in *Somersetshire*; and besides riding to *London* a little before the fact, for he was not present at it except it were by suggestion, he wisheth a friend of his, with whom he encountred withall to take notice that he was in *London* vpon such a

day, vppon which the murder was afterwards knowne to be committed. Those against *Alice Walker* being a mayd-seruant vnto *Smithwicke*, were these: She threatned him and gaue it out that if the Priest had come to the last *Dunster* Faire, hee should haue beene cut as small as hearbs to the pot by her Country-men the Welch-men.

Againe, after the murder was committed, but not detected, she gaue it out, that if hee did not come home the sooner, his powdred Beefe would stinke, as after that his powdred flesh did indeede very shortly. But this horrible affirmation being detected, and she not suspected, she came out of the guilty burthen of her own conscience vnto one of her neighbours, and taxt her for accusing of her, concerning Mr. *Trats* death, who protested vnto her that, which shee afterward made good vnto the Iustices that she neuer spake it in her life time, nor at that present so much as thought it. The presumptions against *Andrew Baker* were these. His vsuall conuersation and familiarity at *Smithwicks* house, his voluntary throwing downe of a pot of stinking blood, supposed to be *Trats* which was hidde behind Rue and other strong smelling hearbs at Mr. *Smithwicks*; which pot he was commanded to take out very carefully, by the Iustices then present. And last of all his vsuall crying and calling out in his sleepe, let vs flye Mr. *Peter*, let vs away or else wee shall bee all vndone and hanged. That which made against *Cicill Austin* was this: After this murder was committed, hee comes to *Wollaston* a Parish twelue miles distant from

old *Cleeue*, and gets entertainment as a day Laborer amongst the neighbor-hood. Being there at worke, amongst other of his fellowes, there was one brought word of this most cruell Butchery from *Bridgewater*, but reported withall that the manner of it was not yet well and fully knowne: What sayes *Austin*, I can tell you it was thus and thus, and relates all the perticulars of it, for who could relate it better, then he that did commit it: Besides he had about him a bloody napkin, which beeing without question imbrued in the blood of the innocent, hee pluckes this goared as it was out of his pocket, to wipe his face withall.

There being a Mayd present, demands of him, why he did not wash his handkercheefe, and by what meanes it became so bloudy. He makes her no direct answere; but presently teares it in two peeces; and buryes thē with trampling in the durt.

Vpon this *Austin* growes suspitious amongst the neighbourhood, and flyes withall vpon the iealousie of there suspition, & his owne guiltineſſe, which they aprehending, informe Master *Cuffe* of *Creech*, of all these passages, who hunts after him with *hue* and *cry*, but could not aprehend him, but though he ran like *Cain* frō the presence of man, yet marke how the finger of God doth fasten on him, for flying into *Wiltshire*, he comes vnto one master *Longs*, a Iustice of Peace in that County, & beggs some releise at the doore of a young Gentlewoman, borne neere vnto him, & that had heard of this *Austins* attainture, which he did vnder the name of *Cyril Austine*. She informes Mr. *Long* of it, he staves this suspected person and draws him into examination concerning the murder commited at *Cleeue*, and

those passages deliuerd at *Woollauington* by him, of which Mr. *Long* had heard at large by others. *Austine* stands vpon the deniall, and Mr. *Long* commits him vpon this to the Gaole; where he agrauats the suspition by another circumstance, for being visited by some acquaintance in prison, he tels the vpon an occasion of paying for the reckoning, that he wanted no monies, and if he did, others there were that should moak for it: which words were thought to be ment of young *Smithwicke* considering the reasons before premised. And thus much be spoken of those presumptiue euidences which in general or particular did make against these men. In the last place followes their Arraignement, Inditement & Execution, for the cleerer expression whereof, you must conceane thus much: that this murder being commited in the yeare of our Lord God 1623. the morow after *Midsomer day*, my Lord Cheefe Barron *Tanfeild*, deferd the Tryall of it vntil these last summer Assizes 1624. But then the truth by time growing more perspicuous, for *Veritas Temporis Filia*, and young *Peter Smithwicke* by the working power of Gods prouidence being com in, and *Cirill Austine* being aprehended in *Wiltshire*, to satisfie the longing expectation of all men, whose eyes were fastned vpon the issue of this matter, he proceeds vnto the Tryall in a direct and most iudicious manner: for hauing perused their seuerall examinations, to anoyd all partiallity which consanguinity or acquaintance might impose, his Lordshippe alters the whole body of the *Grand Jury*, which were for the most part of the *Westerne* parts of *Somersetshire*, and therefore in likely-hood of most knowne acquaintance vnto Maister *Smith-*

wicke

wick who sometimes had beene a *Grand Iury* man himselfe. Thenafter the waightines of the cause proposed, and charge giuen with great sufficiency, and Integrity, the *Grand Iury* was dismist and commanded to their charge; who after a tedious ballancing of the Euidence, and a mature pondring of those proofes which were alleadged in the bill of inditement, find young *Peter Smithwick*, *Andrew Baker*, *Ciril Austin*, and *Alice Walker* guilty of Mr. *Trats* murder, but finde an *ignoramus* of old Mr. *Smithwicks* bill, who was recommitted vnto the Gayle of *Ilchester*, to the intent that time might produce stronger proofes against him, which I could wish with diuers other men, might faile in his behalfe. The Petty Iury concurs with the in Verdite, & there were found guilty of this horrible & haynous assassination, young *Peter Smithwick*, *Andrew Baker*, *Ciril Austin*, and *Alice Walker*, vpon this my Lo. chiefe Baron proceeds to their iudgment, and passing the sentence of death vpon them, he giues them godly admonitions to confesse the murder, plaine enough by the proofes and euidence, and by this meanes to giue God and the World publike satisfaction. But they standing stiffe vpon the negatiue, and their owne pretended innocency, they are sent backe from the Court, vnto the wards againe, where they were visited by Dr. *Goodwin*, Dr. *Sibes*, Mr. *Morley*, Mr. *Vaughan*, and other worthy Ministers, who with zeale did exhort them to cleare their consciences, and confesse their faults with true Repentance. But all these wholsome admonitions, proued but seede sowne in stony ground, for it tooke no roote nor made impression in them, onely *Alice walker* told Mr. *Morley*, who required her to confesse the truth, and demanded of her whether or no they had obliged themselues by oath or vow vnto the contrary, she I say, then tels him that he in that point somewhat mistooke his purpose, and desires a further conference with him the next morning. He that diligently doth obserue her answeres vpon her former words, doth easily [illegible]

wicked vow or protestation made by her, or her accomplices, for such vowes were not to be observed, but only good ones, and such as were made vnto the Lord, But the still spirit working strongly with her, made her insensible of these good and godly motions: and shee returnes *ad vomitum*, like a dogge vnto the auntient vomit of her stubbornesse and denyall. On Friday being the 25. day of *July*, they were conveyed from the Towne of *Taunton* vnto *Stone Gallows* about eleven of the clocke in the forenoone where notwithstanding all the perswasions vsed by some of the aforesaid Diuines, they suffered by the hand of Iustice, dyed obstinate and vnrepenting sinners. The causes wherefore they would not confesse were thought to be these, First the obligation of their vow, 2 the conceiued feare of a more terrible punishment, 3 the hope of impunity, or *Reprieuall* at the last, since as they thought these proofes were not sufficient against them. Concerning this event mens conjectures were diuers: for those who were alied vnto them, either in consanguinity, or acquaintance, were of partiall iudgement in their behalfes, and thought them innocents, because they protested their innocency at their deaths, others whose iudgements were more sincere, & curious considering those pregnant proofes which made against them, thought them iustly punished by the censure and iudgement of the Court. The golden rule which we may gather from this bloody and bloody president is this, That we should not giue the raines vnto anger, for soone it gouernes the reason and Law of the land, and though wrongs either true or supposed may prouoke vs, yet we should consider withall that *This mountaine is a great seruice*, that anger may hurt vs more then the enemy, drawing vpon [illegible] and [illegible] with [illegible] and [illegible] wrath [illegible] And [illegible] whol-